

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of April 6, 2007 the Applicant respectfully submits the accompanying Amendment to the claims and the below Remarks.

Regarding Amendment

In the Amendment:

independent claim 1 is amended to clarify that the layer of actuator material is one of a plurality of actuator layers deposited on the wafer substrate, and to explicitly recite that the layer of actuator material is etched to define both an ejection actuator and a refill actuator for each nozzle chamber. Support for this amendment can be found at page 5, line 3-page 6, line 2 and Figs. 1-7 of the present application; and

dependent claim 2 is amended to conform with amended claim 1; and

dependent claim 3 is unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application, nor any new issues to the prosecution of the present application.

Regarding 35 USC 112, second paragraph Rejections

It is respectfully submitted that the above-described amendment of independent claim 1 to clarify that the layer of actuator material is one of a plurality of actuator layers deposited on the wafer substrate, and to explicitly recite that the layer of actuator material is etched to define both an ejection actuator and a refill actuator for each nozzle chamber, clarifies the claimed subject matter based on the description at page 5, line 3-page 6, line 2 and drawings illustrated in Figs. 1-7 of the present application.

Regarding 35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of amended independent claims 1, and claims 2 and 3 dependent therefrom, is not taught or suggested by newly cited Albarda et al. (US 5,029,805) in view of previously cited Waggener, because as the Examiner admits Albarda does not disclose a "separate refill mechanism" and because Waggener does not make up for this deficiency in Albarda.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

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